Management Board minutes

5 August 2019

Members and other attendees present

Paul Arnold	Deputy Chief Executive Officer
Ailsa Beaton	Non-executive Director
David Cooke	Non-executive Director
James Dipple-Johnstone	Deputy Commissioner (Executive Director - Operations)
Elizabeth Denham	Information Commissioner (Chair)
Peter Hustinx	Non-executive Director
Simon McDougall	Executive Director – Technology Policy and Innovation
Steve Wood	Deputy Commissioner (Executive Director – Strategic Policy)
Nicola Wood	Non-executive Director
Christopher Braithwaite	Senior Corporate Governance Manager (secretariat)
Caroline Robinson	Corporate Governance Officer (secretariat)

1. Introductions and apologies

1.1. There were apologies from Jane McCall who was unable to attend the meeting.

2. Declaration of interests

2.1. There were no declarations of interest.

3. Matters arising from the previous meeting

3.1. The minutes were confirmed as accurate. There were no outstanding actions due for completion before this meeting.

3.2. In relation to the draft terms of reference for the Regulatory Panel (which had been circulated as requested following the last meeting), Peter Hustinx commented that these should refer to data processors, as well as data controllers.

4. Commissioner's introduction

4.1. The Commissioner highlighted issues of importance for the ICO not covered elsewhere on the agenda. In particular she highlighted the significant benefits from the ICO's international engagement over the last quarter, both to the ICO's work and to the UK as a whole. She explained that, for the remainder of 2019, her focus would be more towards the domestic agenda.

5. Discussion items

Management Board effectiveness

5.1. Paul Arnold introduced a report which provided the Board with the annual opportunity to reflect on its effectiveness. The report had been developed following individual feedback discussions with each Board member.

5.2. The Board agreed that it continued to operate effectively.

5.3. The Board considered and agreed the recommendations set out in the report, which identified ways to further increase the Board's effectiveness.

Action: Paul Arnold to implement the agreed changes to Board meetings to further increase the Board's effectiveness, from the November 2019 Board meeting onwards.

Age Appropriate Design Code

5.4. Steve Wood provided an update on progress with the development of the Age Appropriate Design Code (AADC). The draft code had received over 450 responses, a record for an ICO consultation. He highlighted the lessons learnt from the publication of the draft code for consultation, and how these lessons would be applied to the launch of the final code, as well as being applied to similar work in the future.

5.5. The Board welcomed the draft code, which was a strong piece of work, and recognised the improvements which could be made following the wide-ranging responses to the consultation.

5.6. The Board discussed the connections between the AADC and other areas of work for the ICO and other regulators, particularly online harms and adtech.

6. Risk and opportunity management

6.1. Paul Arnold introduced the risk and opportunity register. The Board praised the significant work being done in many areas to mitigate the risks, and welcomed how the report identified specific risks as being targeted for mitigation and reduction over the next quarter.

6.2. The Board noted that the Commissioner's term was due to finish in July 2021 and agreed that would be appropriate to consider succession planning as a risk at this point. Paul Arnold agreed to ensure that this was appropriately reflected within the risk register.

Action: Paul Arnold to ensure that succession planning for the end of the Commissioner's term is appropriately reflected on the risk register.

6.3. David Cooke commented that it would be helpful for the Board to be provided with some deeper analysis of the factors which had considered been considered in determining the scores for the top three or four risks.

7. Quarter 1 performance against the Information Rights Strategic Plan and the Resource and Infrastructure Strategic Plan

Performance against Information Rights Strategic Plan

7.1. The quarter 1 report on performance against the Information Rights Strategic Plan was presented for information and discussion.

7.2. The Board discussed the excellent progress made in data protection complaints and compliance caseloads, and progress with the technology hub and adtech.

7.3. The Board discussed the results of the annual trust and confidence survey. This had indicated that the personal data areas which the public was concerned with aligned well with the ICO's priority areas.

Performance against Resource and Infrastructure Strategic Plan

7.4. The quarter 1 report on performance against the Resource and Infrastructure Strategic Plan was presented for information and discussion.

7.5. The first round of the pay progression process had now been completed and staff would be informed of individual outcomes by the end of the current week.

7.6. Paul Arnold explained that the ICO was developing a capability profile of the organisation, which would be used to review the Resource and Infrastructure Strategic Plan and inform discussion at the Board's Planning Day in October.

7.7. The Board discussed statistics in relation to the percentage of the workforce declaring whether they had a disability or declaring their ethnicity. Nicola Wood expressed disappointment that the percentage of people wishing to declare their status had fallen particularly as this data helps the ICO to monitor the impact of changes on its workforce. Paul Arnold explained that the ICO had recently reconstituted its Equality and Diversity Committee, which involved the creation of specific equality groups. It was hoped that this would increase the amount of staff declaring whether they had a disability or declaring their ethnicity.

8. Management accounts

8.1. The June 2019 financial report was presented for information.

9. Any other business

Management Board Planning Day

9.1. The Board discussed the Management Board Planning Day which would take place on 1 October. It was confirmed that this would take place from roughly 9.30am to 4.00pm. Among other issues, the Planning Day would include discussions of organisational capacity and capability, EU exit preparations, and discussion of the regulatory landscape. The Board agreed that it would be beneficial to arrange a dinner for the Board before the Planning Day.